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**D E C I S I O N**  
**of 13 December 2004**

**Case Number:** T 0835/04 - 3.5.2

**Application Number:** 97201173.8

**Publication Number:** 0808024

**IPC:** H03K 17/0812

**Language of the proceedings:** EN

**Title of invention:**

Electrical load driving device including load current limiting circuitry

**Applicant:**

Delphi Technologies, Inc.

**Opponent:**

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**Headword:**

-

**Relevant legal provisions:**

EPC Art. 108

EPC R. 65(1)

**Keyword:**

"Missing statement of grounds"

**Decisions cited:**

-

**Catchword:**

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Case Number: T 0835/04 - 3.5.2

**D E C I S I O N**  
**of the Technical Board of Appeal 3.5.2**  
**of 13 December 2004**

**Appellant:** Delphi Technologies, Inc.  
P.O. Box 5052  
Troy, MI 48007 (US)

**Representative:** Denton, Michael John  
Delphi European Headquarters  
64 avenue de la Plaine de France  
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F-95972 Roissy Charles de Gaulle Cédex (FR)

**Decision under appeal:** **Decision of the Examining Division of the  
European Patent Office posted 23 January 2004  
refusing European application No. 97201173.8  
pursuant to Article 97(1) EPC.**

**Composition of the Board:**

**Chairman:** W. J. L. Wheeler  
**Members:** R. G. O'Connell  
C. Holtz

## **Summary of Facts and Submissions**

I. The appeal contests the decision of the examining division of the European Patent Office refusing European patent application No. 97 201 173.8. The decision was dispatched by registered letter with advice of delivery on 23 January 2004.

The appellant filed a notice of appeal by a letter received on 6 March 2004 and paid the fee for appeal on the same day. No statement of grounds was filed. The notice of appeal contains nothing that could be regarded as a statement of grounds pursuant to Article 108 EPC.

II. By a communication sent by registered letter with advice of delivery on 3 September 2004, the registry of the board informed the appellant that no statement of grounds had been filed and that the appeal could be expected to be rejected as inadmissible. The appellant was invited to file observations within two months.

III. The appellant filed no observations in response to said communication.

## **Reason for the Decision**

As no written statement setting out the grounds of appeal has been filed within the time limit provided by Article 108 EPC in conjunction with Rule 78(2) EPC, the appeal has to be rejected as inadmissible (Rule 65(1) EPC).

**Order**

**For these reasons it is decided:**

The appeal is rejected as inadmissible.

The Registrar:

The Chairman:

D. Sauter

W. J. L. Wheeler